



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Drinking Water Program

**BRP WS 37 Approval of Transient Non-Community Source  
Less than 7 Gallons per Minute**

**Instructions and Supporting Materials**

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**Introduction**

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [www.mass.gov/dep](http://www.mass.gov/dep) two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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**Permit Fact Sheet**

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**1. What is the purpose of this approval?**

This is an approval for the development of a transient non-community public water supply source for which an approved withdrawal rate of less than 7 gallons per minute (10,000 gallons per day) is being sought. The necessary components for a transient non-community source with an approved rate of less than 7 gallons per minute are described in the Drinking Water Program's *Guidelines and Policies for Public Water Systems* (available at the State House Bookstore). The Drinking Water Regulations, in particular 310 CMR 22.21, govern all aspects of the source development process.

This permit streamlines the source development process by reducing the required permits from two to one. It also reduces the required information for approval of the source and allows, in addition to Registered Professional Engineers and geologists skilled in water supply development, Massachusetts Registered Well Drillers to submit permit applications.

**2. Who must apply?**

Any individual or company that intends to develop a source of public water with a yield of less than 7 gallons per minute and meets the definition of a transient non-community water system.

**3. What other requirements should be considered when applying for this approval?**

- A Request for Determination of Applicability (Form No. 1-310 CMR 10.99) as required under the Wetlands Protection Act MGL c. 131 s. 40 and the regulations at 310 CMR 10.00 must be filed with the local conservation commission if work is proposed within 100 feet of a wetland.
- Before applying for this approval, consideration should be given to the ability to own the Zone I; and
- How surrounding development and history may influence water quality and how the site lends itself to development.

**4. What is the application fee?**

The application fee is \$810.

**5. Where should this application be submitted?**

Submit: a) completed **original copy** of the **MassDEP Transmittal Form for Permit Application (Do not include payment)**; b) the completed **BRP WS Application** form; and, c) one hard copy of the required supporting documentation, and (only when specifically requested) one electronic copy of the required supporting documentation in PDF format and submitted on a compact disk or other acceptable media to:

Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community> to find the mailing address for the regional office for your town. At the bottom of the address label please type: Attn: Drinking Water Program.

**6. Where should I send the fee payment for this application?**

Submit the applicable fee payment and a **copy** of the **MassDEP Transmittal Form for Permit Application and Payment** to:

MassDEP  
P.O. Box 4062  
Boston, MA 02211

**7. Where can I get a copy of the timelines?**

The timelines are available on the MassDEP Website: <https://www.mass.gov/lists/massdep-fees-timelines>



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**8. What is the annual compliance fee?**

There is no annual compliance assurance fee for this approval.

**9. How long is this approval valid?**

The approval is valid for two years.

**10. How can I avoid the most common mistakes made in applying for this approval?**

1. Be sure all checklist items are complete.
2. Review the Drinking Water Program's Drinking Water Regulations 310 CMR 22.21 and the Drinking Water Program's *Guidelines and Policies for Public Water Systems* regarding what is evaluated when obtaining approval for a transient non-community water system with an approved rate under 7 gallons per minute.
3. Communicate with MassDEP concerning the materials necessary for an approval submission.
4. Submit fee and one copy of the MassDEP Transmittal Form to MassDEP, PO Box 4062, Boston, MA 02211

**11. What are the regulations that apply to this approval and where can I get copies?**

These regulations include, but are not limited to:

- a. Drinking Water Regulations, 310 CMR 22.00.
- b. The Timely Action and Fee Provisions, 310 CMR 4.00.
- c. The Administrative Penalty Regulations, 310 CMR 5.00.

They may be purchased at:

**State House Bookstore  
Room 116  
Boston, MA 02133  
617-727-2834**

**State House West Bookstore  
436 Dwight Street  
Springfield, MA 01103  
413-784-1376**



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**Application Completeness Checklist**

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- The MassDEP Transmittal Form is completed: <https://www.mass.gov/service-details/transmittal-form-number-for-massdep-permit-application-payment>
- BRP WS Application has been completed.
- A Massachusetts Registered Professional Engineer, geologist skilled in water supply development, or a Massachusetts Registered Well Driller has prepared, signed, and stamped the submittal.
- A letter of authorization has been completed if signature of the design engineer or other agent is being used on the application.
- A pre-submittal meeting with the appropriate MassDEP regional office has occurred prior to submitting this application. Information required at the time of the pre-submittal meeting includes an appropriately scaled map of the proposed site that includes:
  - a. the approximate new source location;
  - b. the Zone I boundary, the size of which is determined by the requested approval rate;
  - c. the identity of the Zone I landowners;
  - d. characterization of land uses within the Interim Wellhead Protection Area (IWPA);
  - e. approved water withdrawals, registered or permitted by MassDEP and any other private, commercial, or industrial wells within the IWPA;
  - f. existing and potential sources of contamination within the IWPA; and,
  - g. water quality results if the well currently exists.

The following items must be included as part of the application package:

- Pumping Test Report including:
  - a. map with pre-submittal meeting map information as well as surveyed site plan including the Zone I boundary and well location and elevation;
  - b. copies of field and laboratory water quality analyses for all samples collected before and during the test;
  - c. precipitation and/or recharge events;
  - d. selection of the pumping rate;
  - e. approvable yield requested;
  - f. stabilization criteria and pumping test data;
  - g. well recovery data;
  - h. copies of, or reference to, all relevant correspondence, if any;
  - i. copies of lithologic log (s) for the well(s);
  - j. graphs showing time-drawdown and time-recovery for the well(s); and,
  - k. well and treatment plans and specifications;
  - l. evidence of Zone I ownership or control of the Zone I per a MassDEP approved method.
- Send the completed application form, one copy of the required supporting documentation, and the **original copy** of the MassDEP Transmittal form to:  
MassDEP  
\_\_\_\_\_\* Regional Office  
Attn: Drinking Water Program  
\*Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>
- Send fee of \$810 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy from the MassDEP Transmittal Form to:  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211